

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

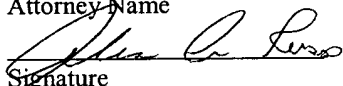
Applicant : Beclin, Christophe *et al.*  
Serial No. : 10/030,289 ~~829~~ Examiner: TBA  
Filed : January 11, 2002 Group Art Unit: 1646  
For : NOVEL SGS3 PLANT GENE AND USES THEREOF

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INFORMATION DISCLOSURE STATEMENT

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231

January 31, 2003  
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Alicia A. Russo  
Attorney Name  
  
Signature

46,192  
PTO Registration No.  
January 31, 2003  
Date of Signature

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. §1.56 and §1.97(c)(2), Applicants respectfully request that the documents relating to the above-identified application listed herein in reverse chronological alphabetical order be considered and made of record in the U.S. Patent and Trademark Office.

1. U.S. Patent No. 5,565,346 to Facciotti. on October 15, 1996
2. U.S. Patent No. 5,554,798 to Lundquist *et al.* on September 10, 1996
3. U.S. Patent No. 5,538,877 to Lundquist *et al.* on July 23, 1996

4. U.S. Patent No. 5,510,318 to Patel *et al.* on April 23, 1996
5. U.S. Patent No. 5,508,468 to Lundquist *et al.* on April 16, 1996
6. U.S. Patent No. 5,489,520 to Adams *et al.* on February 6, 1996
7. U.S. Patent No. 5,484,956 to Lundquist *et al.* on January 16, 1996
8. U.S. Patent No. 5,487,744 to Sanford *et al.* on December 26, 1995
9. U.S. Patent No. 5,464,763 to Schilperoort *et al.* on November 7, 1995
10. U.S. Patent No. 5,405,765 to Vasil *et al.* on April 11, 1995
11. U.S. Patent No. 5,371,014 to Matsuyama *et al.* on December 6, 1994
12. U.S. Patent No. 5,204,253 to Sanford *et al.* on April 20, 1993
13. U.S. Patent No. 5,187,073 to Goldman *et al.* on February 16, 1993
14. U.S. Patent No. 5,179,022 to Sanford *et al.* on January 12, 1993
15. U.S. Patent No. 5,177,010 to Goldman *et al.* on January 5, 1993
16. U.S. Patent No. 5,100,792 to Sanford *et al.* on March 31, 1992
17. U.S. Patent No. 5,036,006 to Sanford *et al.* on July 30, 1991
18. U.S. Patent No. 4,945,050 to Sanford *et al.* on July 31, 1990
19. U.S. Patent No. 4,536,475 to Anderson. on August 20, 1985
20. U.S. Patent No. 4,459,355 to Cello *et al.* on July 10, 1984
21. EP 0 672 752 A1 by Saito *et al.*
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27. WO 97/46690 A1 by Drake *et al.*

28. WO 95/06128 A2 by Dams *et al.*
29. EP 0 674 725 now WO 94/13863 A1 by Scruggs *et al.*
30. EP 0 539 563 now WO 92/20809 A1 by Christou *et al.*
31. WO 91/02071 A2 by Adams *et al.*
32. Buell C.R. *et al.*, Accession No. AQ964581, January 31, 2000.
33. Nakamura Y. *et al.*, Accession No. AV566465, June 16, 2000.
34. Nakamura Y. *et al.*, Accession No. AV525508, June 15, 2000.
35. Mourrain P. *et al.*, Accession No. AF239719, June 7, 2000.
36. Nakamura Y., Accession No. AB025633, April 9, 1999.
37. Genoscope, Accession No. AL084227, June 28, 1999.
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39. Chen J. *et al.*, Accession No. AI999551, September 9, 1999.
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45. Rounsley S.D. *et al.*, Accession No. AQ010650, May 29, 1998.
46. Vaucheret H *et al.*, 1998, XP-002149065, "Transgene-induced gene silencing in plants" *The Plant Journal* **16**(6):651-659.
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49. Schiebel W *et al.*, 1998, "Isolation of an RNA-Directed RNA Polymerase-Specific cDNA Clone from Tomato" *www.plantcell.org*, *The Plant Cell* **10**:2087-2101.
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55. Kempin SA *et al.*, 1997, "Targeted disruption in *Arabidopsis*" *Nature* **389**:802-803.
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57. Jean-Christophe P *et al.*, 1997, "Systemic acquired silencing: transgene-specific post-transcriptional silencing is transmitted by grafting from silenced stocks to non-silenced scions" *The EMBO Journal* **16**(15):4738-4745.
58. Angell S *et al.*, 1997, "Consistent gene silencing in transgenic plants expressing a replicating potato virus X RNA" *The EMBO Journal* **16**(12):3675-3684.
59. Elmayan T *et al.*, 1996, "Expression of single copies of a strongly expressed 35S transgene can be silenced post-transcriptionally" *The Plant Journal* **9**(6):787-797.
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62. Panabières F *et al.*, 1995, "Characterization of a Gene Cluster of *Phytophthora cryptogea* Which Codes for Elicitins, Proteins Inducing a Hypersensitive-Like Response in Tobacco" *Molecular Plant-Microbe Interactions* **8**(6):996-1003.
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69. Bevan M *et al.*, 1983, "A chimaeric antibiotic resistance gene as a selectable marker for plant cell transformation" *Nature* **304**:184-187.
70. Gritz L *et al.*, 1983, "Plasmid-encoded hygromycin B resistance: the sequence of hygromycin B phosphotransferase gene and its expression in *Escherichia coli* and *Saccharomyces cerevisiae*" *Gene* **25**:179-188.

The cited documents are listed in the accompanying PTO 1449 Form. Copies of the documents are submitted herewith in three bound volumes. Document 26 is in German.

Applicants have provided an English abstract of Document 26 obtained from

<http://ep.espacenet.com>. Documents 32-39 and 44 were obtained from

<http://www.ncbi.nlm.nih.gov>.


Identification of the documents listed in the attached PTO 1449 Form is not to be construed as an admission of Applicants or Attorneys for Applicants that such documents are

available as “prior art” against the above-identified application. Applicants submitted a copy of the International Preliminary Exam Report on January 11, 2002.

Applicants do not believe that a fee is required with this submission since no Office Action has been received. Nevertheless, any required fees not enclosed herewith may be charged to Deposit Account No. 02-4377. Two copies of this pare are enclosed.

Respectfully submitted,

Dated: January 31, 2003

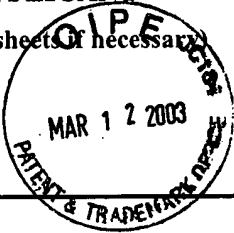
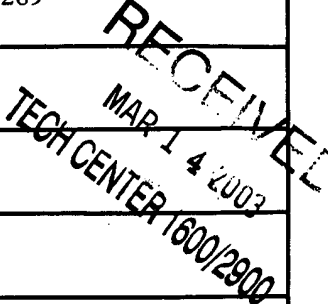


Louis S. Sorell  
PTO Reg. No. 32,439

Alicia A. Russo  
Patent Office Reg. No. 46,192

30 Rockefeller Plaza  
New York, NY 10112-4498  
(212) 408-2500  
Attorneys for Applicants

Enclosures

<b>Form PTO-1449 U.S. Department of Commerce</b> <b>(REV. 2-82) Patent and Trademark Office</b>	Atty. Docket No. A34920 PCT-USA 072667.0179	Serial No. 10/030,289
<b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b> (Use several sheets if necessary)	Applicant Beclin, Christophe <i>et al.</i>	
	Filing Date January 11, 2002	Group 1646
	Examiner TBA	

### U.S. PATENT DOCUMENTS

*Exam. Init.	No.	Document No.								Date	Name	Class	Subclass	Filing Date if Appro.
	1.	5	5	6	5	3	4	6		10/15/96	Facciotti	435	172.3	07/27/88
	2.	5	5	5	4	7	9	8		09/10/96	Lundquist <i>et al.</i>	800	205	05/15/95
	3.	5	5	3	8	8	7	7		07/23/96	Lundquist <i>et al.</i>	435	172.3	11/10/92
	4.	5	5	1	0	3	1	8		04/23/96	Patel <i>et al.</i>	504	223	05/25/93
	5.	5	5	0	8	4	6	8		04/16/96	Lundquist <i>et al.</i>	800	205	04/16/96
	6.	5	4	8	9	5	2	0		02/06/96	Adams <i>et al.</i>	435	172.3	04/26/94
	7.	5	4	8	4	9	5	6		01/16/96	Lundquist <i>et al.</i>	800	205	04/11/90
	8.	5	4	7	8	7	4	4		12/26/95	Sanford <i>et al.</i>	435	285.1	08/12/94
	9.	5	4	6	4	7	6	3		11/07/95	Schilperoort <i>et al.</i>	435	172.3	12/23/93
	10.	5	4	0	5	7	6	5		04/11/95	Vasil <i>et al.</i>	435	172.3	08/21/92
	11.	5	3	7	1	0	1	4		12/06/94	Matsuyama <i>et al.</i>	435	280	10/22/93
	12.	5	2	0	4	2	5	3		04/20/93	Sanford <i>et al.</i>	435	172.3	05/29/90
	13.	5	1	8	7	0	7	3		02/16/93	Goldman <i>et al.</i>	435	172.3	11/13/89

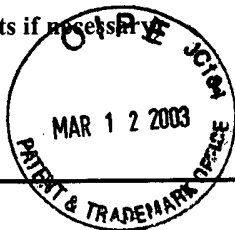
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\* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>Form PTO-1449 U.S. Department of Commerce (REV. 2-82) Patent and Trademark Office</b>	<b>Atty. Docket No.</b> A34920 PCT-USA 072667.0179	<b>Serial No.</b> 10/030,289
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*Exam. Init.	No.	Document No.								Date	Name	Class	Subclass	Filing Date if Appro.
	14.	5	1	7	9	0	2	2		01/12/93	Sanford <i>et al.</i>	435	287	02/11/92
	15.	5	1	7	7	0	1	0		01/05/93	Goldman <i>et al.</i>	435	172.3	09/05/90
	16.	5	1	0	0	7	9	2		03/31/92	Sanford <i>et al.</i>	435	172.1	01/24/89
	17.	5	0	3	6	0	0	6		07/30/91	Sanford <i>et al.</i>	435	170.1	08/17/89
	18.	4	9	4	5	0	5	0		07/31/90	Sanford <i>et al.</i>	435	172.1	11/13/84
	19.	4	5	3	6	4	7	5		08/20/85	Anderson	435	172.3	10/05/82
	20.	4	4	5	9	3	5	5		07/10/84	Cello <i>et al.</i>	435	172.3	07/12/82

### FOREIGN PATENT DOCUMENTS

No.	Document No.								Date	Country	Class	Subclass	Translation Yes No	
21.	EP 0 672 752 A1								20.09.95	Europe	C12N	15/00	<u>Yes</u>	
22.	EP 0 604 662 A1								06.07.94	Europe	A01H	1/00	<u>Yes</u>	
23.	EP 0 486 234 A2								20.05.92	Europe	C12N	15/82	<u>Yes</u>	
24.	EP 0 486 233 A2								20.05.92	Europe	C12N	15/82	<u>Yes</u>	
25.	EP 0 442 174 A1								21.08.91	Europe	C12N	15/82	<u>Yes</u>	

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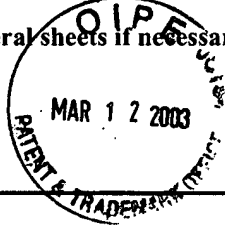
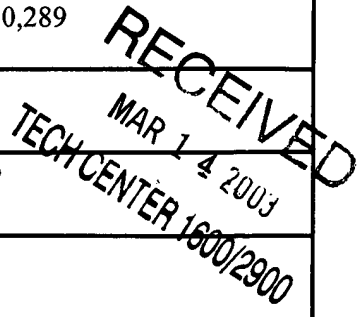
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						Yes	No
26.	EP 0 267 159 A2	11.05.88	Europe	C12N	15/00	<u>No</u>	
27.	WO 97/46690	11.12.97	International	C12N	15/67	<u>Yes</u>	
28.	WO 95/06128	02.03.95	International	C12N	15/82	<u>Yes</u>	
29.	WO 95/13863	23.06.94	International	C25D	3/56	<u>Yes</u>	
30.	WO 92/20809	26.11.92	International	C12N	15/89	<u>Yes</u>	
31.	WO 91/02071	21.02.91	International	C12N	15/82	<u>Yes</u>	


No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
32.	Buell C.R. <i>et al.</i> , Accession No. AQ964581, January 31, 2000.
33.	Nakamura Y. <i>et al.</i> , Accession No. AV566465, June 16, 2000.
34.	Nakamura Y. <i>et al.</i> , Accession No. AV525508, June 15, 2000.
35.	Mourrain P. <i>et al.</i> , Accession No. AF239719, June 7, 2000.
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38.	DOE Joint Genome Institute, Accession No. AC009109, August, 4, 1999.

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39.	Chen J. <i>et al.</i> , Accession No. AI999551, September 9, 1999.
40.	Wassenegger M <i>et al.</i> , 1998, "A model for RNA-mediated gene silencing in higher plants" <i>Plant Molecular Biology</i> 37:349-362.
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52.	Brigneti G <i>et al.</i> , 1998, "Viral pathogenicity determinants are suppressors of transgene silencing in <i>Nicotiana benthamiana</i> " <i>The EMBO Journal</i> <b>17</b> (22):6739-6746.
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